

**Duke, Daphne**

**From:** David Swanner <dave@myride-sc.com>  
**Sent:** Thursday, March 24, 2022 1:42 PM  
**To:** David Swanner  
**Cc:** PSC\_Contact; Schmieding, Janice; Lusk, Dina; McGill, Thomas; Bateman, Andrew  
**Subject:** [External] MyRide Response to Candace Burch Letter of Protest dated March 15, 2022  
**Attachments:** MyRide Response to Candace Burch Letter of Protest.pdf

Attn: Clerk's Office  
Public Service Commission of S.C.  
101 Executive Center Dr., Suite 100  
Columbia, S.C. 29210

**Re Docket Number: 2022-88-T**

***I Please accept the attached PDF and statement as MyRide SC, LLC's response to the Letter of Protest filed by Candace Burch on March 15, 2022.***

Please let me know if there is any other information you might need from me that would be helpful. I can be reached by return e-mail, phone or regular mail.

MyRide SC, LLC  
3454 Waccamaw Drive, Unit C  
Myrtle Beach, SC 29579  
(843) 236-0204, phone  
(843) 71207273, fax

Sincerely,

David Swanner  
President, MyRide SC, LLC  
[Dave@MyRide-SC.com](mailto:Dave@MyRide-SC.com)  
(843) 267-5455

**MyRide SC, LLC Response to Docket No.: 2022-88-T  
Letter of Protest by Candace Burch dated 3/15/22 and filed 3/17/22**

**Concise Statement of Protest:**  
MyRide doesn't meet the need Public Convenience and Necessity because there are more providers than necessary in the applied for Counties.

Trips were cut nearly in half in March, 2020 with the Pandemic and there is not a need for a new Class C Certificate (Non-Emergency).

Also, the name on the application (page 6) is not consistent with the name on the cover sheet, page 1 or page 5.

**Response of MyRide SC, LLC:**  
There is a need for for Class C Certificates Non-Emergency and MyRide SC, LLC is not creating a situation that will take rides from Candace Burch and Merit Transit the NEMT that she owns.

1. **MyRide SC, LLC is Taking the Place of S&W Transport**

S&W Transport was in continual operation as an NEMT since 2017 as Docket No. 2016-356-T and Certificate Number: 9202. The corporation was judicially dissolved and the assets were sold to the primary creditor of S&W when liquidating the assets; S&W Transport has requested that their certificate be cancelled as part of the dissolution.

The primary creditor of S&W Transport has organized as MyRide SC, LLC and will be hiring the same manager and drivers used by S&W Transport.

This is not a new company coming into the area, but rather a different corporate structure and a different owner for a company that was in existence since 2017 and providing trips until March 11, 2022.

2. **Trips for MyRide SC, LLC Rose 40% in the last month before operations stopped**

From February 8, 2022 when MyRide SC, LLC was issued a Class C Certificate on a requested name change from S&W Investment's Certificate until March 8, 2022 when the certificate was revoked and reinstated under the name of S&W Investments, LLC dba S&W Transport, the number of rides received from ModivCare increased by more than 40%.

Even though the PSC had reinstated the Certificate for S&W Transport, the vehicles had already been sold and titled and registered to MyRide SC, LLC who was unable to continue to use the S&W Transport Certificate because it would no longer be part of winding up the affairs of S&W Investments, Inc. dba S&W Transport.

3. **ModivCare has Issued a Contract to MyRide**

ModivCare believes that there are trips in the community or else they would not have promised and signed a contract with MyRide.

4. **Trips have Rebounded since March, 2020 when the Coronavirus hit.**

We are in total agreement that the trips were cut in half in March, 2020 and it was difficult to survive. However, trips have rebounded and are now at a point equal to or higher than they were before the pandemic.

5. **In our Absence Many Patients haven't been Picked up and Taken to the Doctor**

We have been receiving multiple calls every day from patients asking if and when we can pick them up because they've gone multiple days without being picked up. That no transportation provider has taken them to the doctor.

6. **Candace Burch has filed for a NEW Class C Certificate AFTER stating that the needs of public were being met and there were too many Providers.**

Ms. Burch protested our application by stating on March 15 that there is no public need for a new Class C (Non-Emergency) Certificate in the Counties MyRide has applied for. **Yet just two days later** she applied for a new Class C (Non-Emergency) Certificate based on Public Convenience and Necessity on March 17, 2022 in the name of Merit Transit, LLC, being Docket Number: 2022-118-T and attached to this reply.

She also applied for a Class C (Stretcher Van) Certificate on March 16, 2022 based on Public Convenience and Necessity under Merit Transit, LLC and is Docket Number: 2022-110-T.

It is doubtful that Candace Burch would be filing for two new Class C Certificates if there were already too many transportation providers and there was no public necessity for them.

**Lastly, Ms. Burch says that the names on the application are inconsistent.**

This application is in the name of MyRide SC, LLC. Both Tammy Ferguson and David Swanner were listed as responsible officers of the corporation. The application is in the name of the corporation and there is no conflict.

For the above-stated reasons, MyRide SC, LLC would request that the Commission deny the Letter of Protest and grant MyRide a Class C (Non-Emergency) Certificate.

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STATE OF SOUTH CAROLINA

(Caption of Case)

Example: Application for a Class C Charter Certificate from John Doe dba Doe's Limo

Merit Transit LLC
528 Piedmont Ave
Myrtle Beach, SC 29577

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

TRANSPORTATION COVER SHEET

DOCKET NUMBER: 2022 - 118 - T

If this is your first time filing an application with the PSC, you will not have a Docket Number. The Commission will assign one to you. If you have filed with the Commission before, a Docket Number was assigned and should be entered above.

(Please type or print)

Submitted by: William Burch

Telephone: 843-353-0490

Address: 528 Piedmont Ave

Fax: 843-839-5060

Myrtle Beach, SC 29577

Other:

Email: rockburch@gmail.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

NATURE OF ACTION (Check all that apply)

- Application - Class A/A Restricted
Application - Class C Taxi
Application - Class C Charter
Application - Class C Charter Bus
[X] Application - Class C Non-Emergency
Application - Class C Stretcher Van
Application - Class E Household Goods
Application - Class E Hazardous Waste
Application
Request for Extension to Comply with Order
Request for Order Granting Authority to Obtain a Certificate of Public Convenience and Necessity to be Rescinded
Request for Cancellation of Certificate
Request for Suspension
Request for Reinstatement
Request for Name Change on Certificate
Request to Amend Scope of Authority
Request to Amend Tariff (rate increase, etc.)
Request to Amend Passenger Limit
Request
Exhibit
Late-Filed Exhibit
Letter
Proposed Order
Publisher's Affidavit
Reservation Letter
Response
Return to Petition
Other:

RECEIVED

MAR 17 2022

PSC SC MAIL / DMS

Handwritten initials

If you have any questions about this form, please contact the PUBLIC SERVICE COMMISSION at 803-896-5100.

ACCEPTED FOR PROCESSING - 2022 March 24 1:55 PM - SC PSC - 2022-118-T - Page 5 of 19

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

Phone: (803) 896-5100 Fax: (803) 896-5199

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR  
OPERATION OF MOTOR VEHICLE CARRIER

CLASS C - NON-EMERGENCY

Date: 3/17/2022

Application is hereby made for a Certificate of Public Convenience and Necessity, in accordance with the provision of S.C. Code Ann., § 58-23-10, et seq. (1976), and amendments thereto.

Merit Transit LLC

Name under which business is to be conducted (corporation, partnership, or sole proprietorship, with or without trade name.)

528 Piedmont Ave, Myrtle Beach, SC 29577

Street Address of Applicant

Mailing Address of Applicant (if different from street address)

843-343-0490

Phone

843-839-5060

Fax

rockburch@gmail.com

Email Address

2. If the Applicant is an LLC or a corporation, a copy of the Certificate of Existence from the South Carolina Secretary of State and the Articles of Incorporation must be attached. (If incorporated outside of SC, attach South Carolina Secretary of State "Foreign Corporation" Certificate.)

3. Select Entity Type: (Check one)

Individual Owner/Sole Proprietorship

Partnership - List names and address of all person having an interest in the business.

Corporation - List names and addresses of two principal officers.

Candace Burch

101 Split Oak Ct, Myrtle Beach, SC 29588

ACCEPTED FOR PROCESSING - 2022 March 24 1:55 PM - SC PSC - 2022-88-T - Page 6 of 19  
ACCEPTED FOR PROCESSING - 2022 March 18 8:06 AM - SC PSC - 2022-18-T - Page 2 of 15

Applicant is financially able to furnish the services as specified in this application and submits the following statement of assets and liabilities.

### Financial Statement

Applicant's assets and liabilities are as follows:

#### Assets:

Value of Real Estate	0
Value of Motor Vehicles	250,000
Cash on Hand	1,000
Cash in Bank	10,000
Value of Other Assets and Equipment	500,000
<b>Total Assets</b>	<b>761,000</b>

#### Liabilities:

Mortgage/Loan on Real Estate	
Loans Owed on Motor Vehicles	190,000
Business/Other Loans Owed	
Other Liabilities or Debts	
<b>Total Liabilities</b>	<b>190,000</b>

#### INSTRUCTIONS:

1. "Value of Real Estate" means the actual or estimated market value of any real property/buildings owned by the Company/Business Applying for a Certificate.
2. "Mortgage/Loan on Real Estate" means the outstanding balance on any Mortgage, Equity Line or other Loan secured by the Real Estate listed in Item 1.
3. "Value of Motor Vehicles" means the actual or fair estimated value of any moving vans, trucks or other vehicles owned by the Company/Business Applying for a Certificate.
4. "Loans Owed on Motor Vehicles" means the outstanding balance on any loans or liens on the vehicles listed in Item 3.
5. "Cash on Hand" is the total of actual cash held by the Company/Business applying for a Certificate on the day this form is filled out.
6. "Business/Other Loans Owed" means the outstanding balance on any small business loan or other unsecured loan made by a person, bank or business to the Business/Company applying for a Certificate.
7. "Cash in Bank" means the current balance in checking accounts, savings accounts or the like in the name of the Company/Business applying for a Certificate. Do not include retirement accounts or personal bank account balances.
8. "Value of Other Assets and Equipment" should include the actual or estimated value of items such as office equipment (computers/furnishings), moving equipment (hand trucks/blankets/strapping), and trailers.
9. "Other Liabilities or Debts" means specific amounts/balances which the Company/Business applying for a Certificate knows that it owes to other persons or companies; for example Franchise Fees. This does NOT include regular bills such as electricity bills, security system costs, insurance, salaries, etc.

### PROPOSED RATES AND CHARGES FOR SERVICE

#### Proposed Rates and Charges:

##### Ambulatory Rates

Max Rate- \$100 pick up fee \$5.00 per mile

##### Wheelchair Rates

Max Rate- \$200 pick up fee \$6.00 per mile

**Requested Scope of Authority:** Check all counties in which you are requesting permission to operate. You will only be allowed to operate in those counties checked below. You may request "Statewide" authority if you intend to operate in all counties in South Carolina.

- |                                     |                                       |                                     |                                     |   |
|-------------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/> Abbeville  | <input type="checkbox"/> Cherokee     | <input type="checkbox"/> Florence   | <input type="checkbox"/> Lee        | <input type="checkbox"/> Saluda               |
| <input type="checkbox"/> Aiken      | <input type="checkbox"/> Chester      | <input type="checkbox"/> Georgetown | <input type="checkbox"/> Lexington  | <input type="checkbox"/> Spartanburg          |
| <input type="checkbox"/> Allendale  | <input type="checkbox"/> Chesterfield | <input type="checkbox"/> Greenville | <input type="checkbox"/> Marion     | <input type="checkbox"/> Sumter               |
| <input type="checkbox"/> Anderson   | <input type="checkbox"/> Clarendon    | <input type="checkbox"/> Greenwood  | <input type="checkbox"/> Marlboro   | <input type="checkbox"/> Union                |
| <input type="checkbox"/> Bamberg    | <input type="checkbox"/> Colleton     | <input type="checkbox"/> Hampton    | <input type="checkbox"/> McCormick  | <input type="checkbox"/> Williamsburg         |
| <input type="checkbox"/> Barnwell   | <input type="checkbox"/> Darlington   | <input type="checkbox"/> Horry      | <input type="checkbox"/> Newberry   | <input type="checkbox"/> York                 |
| <input type="checkbox"/> Beaufort   | <input type="checkbox"/> Dillon       | <input type="checkbox"/> Jasper     | <input type="checkbox"/> Oconee     |   |
| <input type="checkbox"/> Berkeley   | <input type="checkbox"/> Dorchester   | <input type="checkbox"/> Kershaw    | <input type="checkbox"/> Orangeburg | <input checked="" type="checkbox"/> Statewide |
| <input type="checkbox"/> Calhoun    | <input type="checkbox"/> Edgefield    | <input type="checkbox"/> Lancaster  | <input type="checkbox"/> Pickens    |   |
| <input type="checkbox"/> Charleston | <input type="checkbox"/> Fairfield    | <input type="checkbox"/> Laurens    | <input type="checkbox"/> Richland   |   |



### INSURANCE QUOTE

**This form MUST BE COMPLETED.**

The insurance quote must be complete, listing current insurance premiums. At the discretion of the Commission, a copy of current insurance policies may be required. Do not provide a copy of insurance policies unless requested. You will not be required to purchase insurance until your application has been approved and an order has been issued by the PSC. THIS IS ONLY A QUOTE.

The following insurance quote is for:

Merit Transit LLC

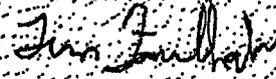
Name of Applicant

328 Piedmont Ave, Myrtle Beach, SC 29577

Address of Applicant

**Amount of Premiums:**

Liability Insurance \$ \$4,889.21



The above quoted premium is for a term of 12 months.

Senior Account Executive Correll Insurance

Minimum Limits - Bodily injury and property damage limits will not be less than the following:

		Limits Quoted
Liability Combined Each Occurrence	\$1,000,000	\$1,000,000
Medical Payments per Person	\$1,000	\$1,000

Old Republic Surety Insurance (Correll Insurance Agency)

Name of Insurance Company

1066 Asheville Hwy, Spartanburg, SC 29304

Home Office Address of Company

I, the Applicant, am familiar with the Commission's Rules and Regulations relating to insurance requirements and the above quote meets the minimum insurance limits prescribed. The insurance company making this quote is authorized by the South Carolina Department of Insurance to do business in South Carolina.

**NOTICE:**

If you wish to self-insure your motor vehicles for liability and property damage, you must comply with S.C. Code Ann. Sections 56-9-60 and 58-23-010. For more information, contact the Department of Motor Vehicles at (803) 896-8457 or (803) 896-9903.

If you wish to apply as a self-insured for worker's compensation coverage in South Carolina you may do so with the South Carolina Worker's Compensation Commission (WCC) provided that you will be able to: 1) post a surety bond or letter of credit with the WCC for a minimum of \$500,000; 2) agree to pay a yearly self-insurance tax; and 3) agree to pay an annual assessment to the South Carolina Second Injury Fund. For more information, contact the WCC Self-Insurance Division at (803) 737-5712 or on the web at [www.wcc.state.sc.us/self-insurance](http://www.wcc.state.sc.us/self-insurance).

ACCEPTED FOR PROCESSING - 2022 March 24 1:55 PM - SCPSC - 2022-88-T - Page 10 of 19  
ACCEPTED FOR PROCESSING - 2022 March 18 8:06 AM - SCPSC - 2022-118-T - Page 6 of 15

**Exhibit Fit, Willing, and Able (FWA)**

Merit Transit LLC

Name:

1. Is there currently any outstanding judgments against the Applicant?

Yes

No

If Yes, list judgements here:

2. Is Applicant familiar with all statutes and regulations, including safety regulations and governing for-hire motor carrier operations in South Carolina, and does Applicant agree to operate in compliance with these statutes and regulations?

Yes

No

3. Is Applicant aware of the Commission's insurance requirements and the insurance premium costs associated therewith?

Yes

No

**Exhibit on Driver Qualifications**

1. Applicant understands that drivers must possess at least a current American Red Cross Standard First Aid and CPR Certificate or its equivalent, and records that verify/record such training must be kept on file at the company's primary place of business within South Carolina.

- Yes                       No

2. Applicant understands that drivers must be in compliance with all OSHA regulations.

- Yes                       No

3. Applicant understands that drivers must be trained in the use of all vehicle installed safety equipment such as two-way radios, first-aid kits, fire extinguishers, and other equipment as outlined in PSC Regulations.

- Yes                       No

4. Applicant understands that drivers must be able to physically perform actions necessary to assist persons with disabilities, including wheelchair users.

- Yes                       No

5. Applicant understands that drivers must wear a professional uniform and photo identification badge that easily identifies the driver and the company for whom the driver works.

- Yes                       No

6. Applicant understands that drivers must complete twelve (12) hours of in-service training annually in the area of safety, and records that verify/record such training must be kept on file at the company's primary place of business within South Carolina.

- Yes                       No

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
101 EXECUTIVE CENTER DRIVE, SUITE 100  
COLUMBIA, SOUTH CAROLINA 29210

Applicant is familiar with the provision of S.C. Code Ann. §58-23-10, et seq. (1976), and amendments thereto, and R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers (S.C. Code Ann. Regs., 1976), and R.38-400 through R.38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers (Volume 2, S.C. Code Ann., 1976) and amendments thereto, and hereby promises compliance therewith.

S.C. Code Ann. Section 58-3-250 states, in part, that every final order of the Commission must be served by electronic service, registered or certified mail, upon the parties to the proceeding or their attorneys.

Please check the applicable box:

- The Applicant AGREES to receive future Commission orders related to the Applicant's authority in South Carolina through the Commission's eService System. The Applicant authorizes the Commission to serve its orders by using the e-mail address as it appears on page one of this Application. To sign up for eService notifications, please visit [www.psc.sc.gov](http://www.psc.sc.gov) to create a My DMS account.
- The Applicant DOES NOT AGREE to receive future Commission orders related to the Applicant's authority in South Carolina through the Commission's eService System.

The Applicant for the Certificate of Public Convenience and Necessity as set forth in this foregoing, swear or affirm that all statements contained in the above application are true and correct.

*[Handwritten Signature]*

Applicant's Signature

President

3/17/22

Title of Applicant (e.g. President, Owner, etc.)

STATE OF SOUTH CAROLINA

COUNTY OF Horry

SWORN TO BEFORE ME

This 4 day of FEBRUARY, 2022

*David Roberts*

Notary Public

Commission Expires 05-08-2027



Print Application

ACCEPTED FOR PROCESSING - 2022 March 24 11:55 PM - SCPSC - 2022-98-1 - Page 13 of 19  
ACCEPTED FOR PROCESSING - 2022 March 18 8:06 AM - SCPSC - 2022-118-1 - Page 9 of 15

Filing ID: 220203-0859166

Filing Date: 02/02/2022

STATE OF SOUTH CAROLINA  
SECRETARY OF STATE

ARTICLES OF ORGANIZATION  
Limited Liability Company - Domestic

The undersigned delivers the following articles of organization to form a South Carolina limited liability company pursuant to S.C. Code of Laws Section 33-44-202 and Section 33-44-203.

- 1. The name of the limited liability company (company ending must be included in name)

Merit Transit LLC

\*Note: The name of the limited liability company must contain one of the following endings: "limited liability company" or "limited company" or the abbreviation "LLC," "L.L.C.," "L.C.," "LC," or "Ltd. Co."

- 2. The address of the initial designated office of the limited liability company in South Carolina is

528 Piedmont Ave.  
(Street Address)  
Myrtle Beach, South Carolina 29577  
(City, State, Zip Code)

- 3. The initial agent for service of process is

Candace Burch  
(Name)  
  
(Signature of Agent)

And the street address in South Carolina for this initial agent for service of process is:

528 Piedmont Ave.  
(Street Address)  
Myrtle Beach  
(City) South Carolina 29577  
(Zip Code)

- 4. List the name and address of each organizer. Only one organizer is required, but you may have more than one.

(a) Cheyanne Mossley  
(Name)  
101 N. Brand Blvd., 11th Floor  
(Street Address)  
Glendate, California 91203  
(City, State, Zip Code)

ACCEPTED FOR PROCESSING 2022 March 24 1:55 PM - SCPSC - 2022-88-T - Page 14 of 19  
ACCEPTED FOR PROCESSING 2022 March 18 8:06 AM - SCPSC - 2022-118-T - Page 10 of 15

ACCEPTED FOR PROCESSING 2022 March 24 1:55 PM SCSPSC 2022-98-T Page 15 of 19

Merrit Transit LLC

Name of Limited Liability Company

(b)

(Name)

(Street Address)

(City, State, Zip Code)

5.  Check this box only if the company is to be a term company. If the company is a term company, provide the term specified.

6.  Check this box only if management of the limited liability company is vested in a manager or managers. If this company is to be managed by managers, include the name and address of each initial manager.

(a)

(Name)

(Street Address)

(City, State, Zip Code)

(b)

(Name)

(Street Address)

(City, State, Zip Code)

7.  Check this box only if one or more of the members of the company are to be liable for its debts and obligations under Section 33-44-903(c). If one or more members are so liable, specify which members, and for which debts, obligations or liabilities such members are liable in their capacity as members. This provision is optional and does not have to be completed.

[Empty box for member liability details]

8. Unless a delayed effective date is specified, these articles will be effective when endorsed for filing by the Secretary of State. Specify any delayed effective date and time.

Merit Transit LLC

Name of Limited Liability Company

8. Any other provisions not consistent with law which the organizers determine to include, including any provisions that are required or are permitted to be set forth in the limited liability company operating agreement may be included on a separate attachment. Please make reference to this section if you include a separate attachment.

10. Each organizer listed under number 4 must sign.

Chyanne Moseley

Signature of Organizer

Date: 02/02/2022

Signature of Organizer

Date:

AGBEPFED PRR PROCESSING 2022 MARCH 24 8:56 PM - SCPSC - 2022-118-T Page 16 of 19



**FAX**

**Date:** 03/17/2022

**Pages including cover sheet:** 17

<b>To:</b>	
<b>Phone</b>	
<b>Fax Phone</b>	(803) 896-5199

<b>From:</b>	William Rock Burch
	Merit Transport
	528 Piedmont Ave
	Myrtle Beach
	SC 29577
<b>Phone</b>	(843) 626-3937 * 500
<b>Fax Phone</b>	

**NOTE:**

Merit Transit LLC- Non Emergency Application

# Business Entities Online

File, Search, and Retrieve Documents Electronically

## Merit Transit LLC

### Corporate Information

Entity Type: Limited Liability Company

Status: Good Standing

Domestic/Foreign: Domestic

Incorporated State: South Carolina

### Important Dates

Effective Date: 02/02/2022

Expiration Date: N/A

Term End Date: N/A

Dissolved Date: N/A

### Registered Agent

Agent: Candace Burch

Address: 528 Piedmont Ave.

Myrtle Beach, South Carolina 29577

### Official Documents On File

Filing Type	Filing Date
Articles of Organization	02/02/2022